

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

JOSHUA LUCIANO, MICHAEL MELLEN,)
and JOHN MICHAUD,)
)
Plaintiffs,)
v.)
) Civil Action No. 2:07-cv-25-DBH
MICHAEL VITIELLO, Superintendent of York)
County Jail, in his individual and official)
capacities, JOHN ANGIS, in his)
individual and former official capacities as)
Operations Captain, York County Jail,)
STEVEN A. FOGLIO,)
Facilities Manager for York County,)
in his individual and official capacities,)
and COUNTY OF YORK)
)
Defendants)

CONSENT MOTION

As part of the settlement of this case, Plaintiff and Defendant Michael Vitiello in his official capacity and Defendant County of York agree to an injunction as set forth in the attached Consent Order. The other Defendants, Stephen Foglio, Michael Vitiello in his personal capacity, and Defendant John Angis, are not affected by that injunction but as parties to the case have no objection to it or to the provision in the Consent Order dismissing the case on the merits with prejudice and without costs except for the injunction.

Respectfully submitted.

Dated: January 23, 2008

/Rufus E. Brown/

Rufus E. Brown, Esq
BROWN & BURKE
85 Exchange Street
P.O. Box 7530

Portland, ME 04112-7530
(207) 775-0265

Zachary L. Heiden, Esq.
MCLU FOUNDATION
401 Cumberland Avenue,
Suite 105
Portland, ME 04101
(207) 774-5444

*Attorneys for Plaintiffs
Joshua Luciano, Michael
Mellen, and John Michaud*

Dated: January 23, 2008

/John J. Wall III/

John J. Wall, III, Esq.
MONAGHAN & LEAHY
95 Exchange Street
P.O. Box 7046
Portland, ME 04112

*Attorney for Defendants
York County and Michael
Vitiello*

Dated: January 23, 2008

/ Peter T. Marchesi/

Peter T. Marchesi, Esq.
WHEELER & AVERY, P.A.
27 Temple Street
P.O. Box 376
Waterville, ME 04903

*Attorney for Defendant
Stephen Foglio*

Dated: January 23, 2008

/ Peter T. Marchesi/

Mark E. Dunlap, Esq.
NORMAN, HANSON &
DETROY, LLC
415 Congress Street
P.O. Box 4600

Portland, Me. 04112

Attorney for Defendant
John Angis